



US Army Corps
of Engineers
Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Number: 200550529

Date: March 28, 2007

Comments Due: April 28, 2007

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) and the Utah Division of Water Quality are evaluating a permit application to construct a Walmart Supercenter in south Logan near the intersection of State Route (SR) 165 & LeGrand Street, which would result in impacts to approximately **0.84 acre** of waters of the United States, including wetlands, adjacent to Spring Creek. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at: <http://www.spk.usace.army.mil/regulatory.html>.

AUTHORITY: This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States and Section 401 for water quality certification.

APPLICANT: Troy Herold, representing Walmart Stores, Inc.
CLC Associates, Inc.
420 East South Temple
Suite 550
Salt Lake City, Utah 84111
801-363-5605

LOCATION: The project site is located approximately 1.5 miles south of downtown Logan, Utah between U.S. Highway 89/91 and LeGrand Street and between 1200 South and the intersection of U.S. Highways 89/91 and State Route 165 intersection (see Figure 1, Vicinity Map) in Section 9, Township 11 North, Range 1 East, Cache County, Utah, and can be seen on the Logan, Utah USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to construct a Walmart Supercenter on a parcel of land in south Logan where 0.84 acre of jurisdictional wetlands would be filled for the purpose of constructing a shopping center with its associated automobile parking and access to this building. The applicant estimates approximately 7,500 cubic yards of fill material will be used to construct the parking lot. The asphalt parking lot area would include 3 inches of asphalt concrete and 6 inches of base course in accordance with the Utah Department of Transportation Specifications for Road and Bridge Construction. The remaining layers will consist of subgrade material which meets the recommendations set forth in the GeoTechnical Evaluation, prepared by Western Technologies, Inc. The project will add two culverts made from two 10' x 3' and two 8' x 3' pre-cast concrete boxes (refer to Figure 2) in Spring Creek to accommodate automobile and pedestrian traffic entering the shopping center from 1200 South. The applicant is proposing to establish a soil erosion control program prior to any site construction activities. The soil erosion program will include the placement of erosion control fencing adjacent to Spring Creek to prevent sediment and contaminants from entering the stream.

Based on the available information, the overall project purpose is to construct a retail shopping center. The applicant and the City of Logan believe there is a need to encourage commercial and economic development along U.S. Highways 89/91 and SR 165 corridor. Walmart, in cooperation with the City of

Logan purchased the property and as the zoning encourages, has proposed a retail shopping center. Walmart in cooperation with CLC Associates, Inc. and Ecosystems Research Institute have attempted to design the project footprint to accommodate the needs of Walmart's customers without sacrificing the area's environmental integrity. Please refer to Figure 4 for the proposed project footprint (Alternative E).

ADDITIONAL INFORMATION:

Environmental Setting. There is a total of 2.0 acres of wetlands within the project area consisting of palustrine forested/scrub-shrub wetlands and the Spring Creek riparian corridor. Areas identified as palustrine forested/scrub-shrub wetlands account for 1.0 acre or 3.5 percent of the property. Dominant plants in the area include some hydrophytic vegetation, but there is a larger presence of weedy plants. Spring Creek and its associated riparian area, including flanking wetland sites, makes up the other 1.0 acre or 3.5 percent of the property total. Dominant obligate and facultative plants within the riparian corridor include: willow (*Salix babylonica* and *Salix fragilis*), Russian olive (*Eleagnus angustifolia*), box elder (*Acer negundo*), cattails (*Typha glauca*), purple nightshade (*Solanum dulcamara*), wiregrass (*Juncus arcticus*), and wooly sedge (*Carex lanuginosa*). Sediments within the area consist of sandy clay and silty clay loams with 5 percent dense, rounded, well sorted gravels. Hydrology in the palustrine forested wetlands is dependent on Spring Creek and stormwater runoff along the southern end of the property. Hydrology in the Spring Creek riparian corridor is dependent on seasonal flows and the corridor has been channelized by active agricultural areas and fill material associated with residential development. For the purposes of planning and reporting, the subject property was divided into six areas based on land use and delineation efforts including: filled land for commercial or residential development (which includes the abandoned trailer park area and disturbed wetland areas from logging and infilling), actively cultivated agricultural land, riparian corridor, palustrine scrub-shrub/forested wetlands, an irrigation ditch, and an area that was previously identified as jurisdictional wetlands, but has already been mitigated offsite. Vegetation within project area consists of: common teasel, reed canary grass, cattail, and a forest canopy made up of primarily cottonwood and aspen. Total vegetation ground coverage averages approximately 75%. The property has accommodated the cultivation of alfalfa and two working farms, in addition to combination of residential and commercial buildings associated with frontage on LeGrand Street including four residence, the Utah Department of Motor Vehicles, and a commercial business. Modern trash dumping also occurs within the project area. The proposed impact land is zoned for commercial development. Please refer to Figure 3.

Alternatives. The applicant has provided information concerning project alternatives. Additional information concerning project alternatives may be available from the applicant or their agent. Twelve preliminary designs were originally created and of those, five build alternatives were developed further before the application was resubmitted to the Corps. For more details regarding this analysis please refer to "Alternatives Analysis- Supplemental to the 404 Application for the South Logan Walmart Shopping Center", dated February 2007 (Available upon request). A brief explanation of the five developed alternatives follows: Alternative A proposes realigning the city's extension of 100 West to accommodate the 26.3 acre proposed Walmart footprint. SR-165 would be utilized as one of the primary entrances to the parking lot in addition to secondary entrances for automobiles and pedestrians on the extension of 100 West and 1200 South. This impact would require filling a minimum of 2.40 acres of jurisdictional wetlands. Alternative B proposes realigning the city's extension of 100 West to accommodate the 22.3 acre footprint of the proposed Walmart footprint. The extension of 100 West and 1200 South would be utilized as primary entrances for automobiles and pedestrians into the parking lot. This alternative would require the filling of a minimum of 2.40 acres of jurisdictional wetlands. Alternative C proposes the city's extension of 100 West to accommodate the 19.1 acre proposed Walmart footprint. The extension of 100 West and LeGrand Street would be utilized as primary entrances for automobiles and pedestrians in the parking lot. This alternative would require filling a minimum of 1.70 acres of jurisdictional wetlands. Alternative D proposes the adoption of the city's extension of 100 West to accommodate the 22.8 acre footprint of the proposed Walmart footprint. The extension of 100 West and 1200 South would be utilized as primary entrances and U.S. 89/91 and SR 165 as secondary entrances for both automobiles and

pedestrians. Under this alternative, 1.64 acres of jurisdictional wetlands would be filled. Please refer to Figures 5 through 8 for footprints of proposed alternatives A through D.

Alternative E (Preferred Alternative) accommodates for a 21.3 acre footprint for the proposed Walmart. Automobiles and pedestrians would access the shopping center from 1200 South and 100 West. This alternative was developed to reduce the size of its development footprint and leave the maximum amount of jurisdictional wetlands in place. Under this alternative, a maximum of 0.84 acre of jurisdictional wetlands would be filled (See Figure 4). In addition, this proposed alternative has adopted an on-site wetland restoration program to be implemented within the Spring Creek corridor to enhance functional values in the area. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has proposed to and has obtained permission from Logan City to purchase credits for offsite/in-kind wetland replacement within the city's approved wetland mitigation bank.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Utah Division of Water Quality, is required for this project. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Ms. Shelly Quick, Utah Division of Water Quality, 288 North 1460 West, Post Office Box 144870, Salt Lake City, Utah 84114-4870, **on or before April 28, 2007.**

HISTORIC PROPERTIES: Based on the available information including a Class III Cultural Resource Inventory conducted by TRC Mariah Associates, Inc. no cultural resources are known to occur within the project's footprint. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act, as appropriate.

ENDANGERED SPECIES: The Corps has determined that the proposed activity will not affect Federally-listed threatened or endangered species or their critical habitat. Therefore, the Corps will not initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SUBMITTING COMMENTS: Written comments, referencing Public Notice 200550529, must be submitted to the office listed below **on or before April 28, 2007:**

Corey Loveland, Project Manager
US Army Corps of Engineers, Sacramento District
Utah Regulatory Office
533 West 2600 South, Suite 150
Bountiful, Utah 84010-7744
Email: corey.b.loveland@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Corey Loveland, 801-295-8380, extension 16, corey.b.loveland@usace.army.mil.

Attachments: Eight Drawings

Figure 1: Vicinity Map
Figure 2: Culvert Profiles and Plans
Figure 3: Delineated Wetlands in Project Area
Figure 4: Proposed Footprint for Alternative E (Preferred Alternative)
Figure 5: Alternative A Footprint
Figure 6: Alternative B Footprint
Figure 7: Alternative C Footprint
Figure 8: Alternative D Footprint